

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

EDGAR MERCADO SIERRA

DEBTOR

CASE NO. 13-03627-ESL

CHAPTER 13

**DEBTOR'S MOTION AND NOTICE OF FILING OF POST-CONFIRMATION  
MODIFICATION OF CHAPTER 13 PLAN 11 USC §1329**

TO THE HONORABLE COURT:

**NOW COMES, EDGAR MERCADO SIERRA**, through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtor is hereby submitting a post-confirmation modification of Chapter 13 Plan, 11 USC Section 1329, dated April 3, 2014, herewith and attached to this motion.

2. This Plan modification is filed to cure the "insufficiently funded" issue raised by the Trustee in his unfavorable report on post confirmation modified Plan, docket #33.

**NOTICE PURSUANT TO LOCAL BANKRUPTCY RULE 3015(f)(2)(b)**

**Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

**I CERTIFY**, that on this same date a copy of this Notice was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, and all CM/ECF participants; I also certify that a copy of this notice was sent via regular mail to the debtor and to all creditors and interested parties appearing in the master address list, hereby attached.

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Case no. 13-03627-ESL

Post confirmation modification of chapter 13 Plan

**RESPECTFULLY SUBMITTED.** In San Juan, Puerto Rico, this 3<sup>rd</sup> day of April, 2014.

/s/Roberto Figueroa Carrasquillo  
ROBERTO FIGUEROA CARRASQUILLO  
USDC 203614  
ATTORNEY FOR PETITIONER  
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Document Page 3 of 4  
**United States Bankruptcy Court**  
**District of Puerto Rico**

IN RE:

Case No. **3:13-bk-3627****MERCADO SIERRA, EDGAR**Chapter **13**

Debtor(s)

**AMENDED CHAPTER 13 PAYMENT PLAN**

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: <b>4/03/2014</b> <input type="checkbox"/> AMENDED PLAN DATED: _____ <input type="checkbox"/> PRE <input checked="" type="checkbox"/> POST-CONFIRMATION Filed by: <input type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
<b>I. PAYMENT PLAN SCHEDULE</b>  <div style="display: flex; justify-content: space-between;"> <div> \$ <b>250.00</b> x <b>5</b> = \$ <b>1,250.00</b>  \$ <b>0.00</b> x <b>4</b> = \$ <b>0.00</b>  \$ <b>299.00</b> x <b>1</b> = \$ <b>299.00</b>  \$ <b>315.00</b> x <b>50</b> = \$ <b>15,750.00</b>  \$ _____ x _____ = \$ _____ </div> <div style="text-align: right;"> <b>TOTAL: \$ 17,299.00</b> </div> </div> <p>Additional Payments:  \$ _____ to be paid as a LUMP SUM  within _____ with proceeds to come from:</p> <p><input type="checkbox"/> Sale of Property identified as follows:  _____  _____</p> <p><input type="checkbox"/> Other:  _____  _____</p> <p>Periodic Payments to be made other than, and in  addition to the above:  \$ _____ x _____ = \$ _____</p> <p style="text-align: right;"><b>PROPOSED BASE: \$ 17,299.00</b></p>	<b>II. DISBURSEMENT SCHEDULE</b>  <b>A. ADEQUATE PROTECTION PAYMENTS OR</b> _____ \$ _____ <b>B. SECURED CLAIMS:</b> <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input type="checkbox"/> Trustee pays secured ARREARS: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. <input checked="" type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. <b>RELIABLE FINANCI</b> Cr. _____ Cr. _____ # <b>Claim 2-1</b> # _____ # _____ \$ <b>9,565.40</b> \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: _____ 5. <input type="checkbox"/> Other: _____ 6. <input type="checkbox"/> Debtor otherwise maintains regular payments directly to: _____ <b>C. PRIORITIES:</b> The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) <b>D. UNSECURED CLAIMS:</b> Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: _____ <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: _____ Cr. _____ Cr. _____ Cr. _____ # _____ # _____ # _____ \$ _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. <b>OTHER PROVISIONS:</b> <i>(Executory contracts; payment of interest to unsecureds, etc.)</i> <b>Priority claim: \$1,338.11 (Department of Treasury, claim 4-3).</b> <b>Debtor(s) to provide auto insurance upon maturity to RELIABLE thru Eastern America Insurance Company.</b> <b>Late filed claims filed by creditors will receive no distribution.</b> <b>Debtor reserves the right to object claims after plan confirmation.</b>
<b>III. ATTORNEY'S FEES</b> (Treated as § 507 Priorities)  Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <b>2,861.00</b>	Signed: <b>/s/ EDGAR MERCADO SIERRA</b> Debtor  _____ Joint Debtor

Attorney for Debtor **R. Figueroa Carrasquillo Law Office**Phone: **(787) 744-7699**

Label Matrix for local noticing  
0104-3  
Case 13-03627-ESL13  
District of Puerto Rico  
Old San Juan  
Thu Apr 3 14:07:30 AST 2014

RELIABLE FINANCIAL SERVICES  
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The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)RELIABLE FINANCIAL SERVICES, INC.  
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